THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.3269 of 2006

Dated 06th June 2006

Between:
Chandika Nagar Plot Owners Welfare Association,
Rep. By its President N. Parthasarathi

…Petitioner

And:
Visakhapatnam Urban Development Authority
And another

… Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.3269 of 2006

ORDER:

Heard the counsel for the petitioner. The petitioner filed the writ petition praying for issuance of writ, order or direction in the nature of writ of mandamus declaring the action of the respondents in not granting permission and approval of Chandika Nagar layout plan for 26 plots in the Sy.No.13/1 of Madhavadhara village, Visakhapatnam in spite of due application and payment of necessary fee and development charges, is illegal, irregular and violative of the provisions of Municipal Layout Laws and offends Articles 14 and 21 of the Constitution of India and consequently direct the respondents to grant layout permission and approval of the said plots and pass such other suitable reliefs.

2. Several details relating to the plots purchased by the members of the Association had been furnished at para 6 of the affidavit filed in support of the writ petition. It was also stated that several representations were made in this regard and the last being representation dated 18.01.2006. It is needless to say that if in the event of petitioner complying with all the rules, the petitioner is entitled for approval of the layout plan in accordance with law. In the light of the said facts and circumstances and also in view of the specific stand taken by the petitioner that representation was made to the respondents on 18.01.2006, the writ petition can be disposed of with

the following direction.

3. The respondents are hereby directed to consider the representation of the petitioner dated 18.01.2006 in relation to granting of permission and approval for Chandika Nagar layout plan for 26 plots in the Sy.No.13/1 of Madhavadhara village, Visakhapatnam, in accordance with Law, within a period of eight weeks from the date of receipt of this order.

4. The writ petition is accordingly disposed of with the above direction. No order as to costs.

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P.S.NARAYANA, J.

Dt. 06.06.2006
BSS

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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